



HARBOR COMMISSION MINUTES MEETING OF SEPTEMBER 19, 2012

A regular meeting of the Manistee Harbor Commission was held on Wednesday, September 19, 2012 at 1:10 p.m. in the Second Floor Conference Room, City Hall, 70 Maple Street, Manistee MI 49660.

Roll Call	Present	Excused Absence	Unexcused Absence
Commissioner Bachman	✓		
Commissioner Cook	✓		
Commissioner Kriskywicz		✓	
Commissioner Schrock		✓	
Commissioner Seng			✓
Commissioner Spencer	✓		
Commissioner Zielinski	✓		
City Manager Mitch Deisch	✓		

OTHERS PRESENT: Councilmember Bob Hornkohl, Councilmember Alan Marshall, Eric Sagonowsky of the Manistee News Advocate

APPROVAL OF AGENDA

Bachman made a *MOTION* to remove the items under Unfinished Business as the City Council has said that the marina project was no longer a concern of this commission. Chair requested a second. There was no second and the Chair requested a motion to approve the agenda as presented.

MOTION by Zielinski, second by Spencer to approve the agenda as presented. Motion carried.

PUBLIC COMMENTS ON AGENDA ITEMS

Councilmember Marshall – Expressed his disappointment that the Harbor Commission failed to dismiss the items under Unfinished Business.

Councilmember Hornkohl – Concurred with Marshall, items should have been removed as per the Mayor's correspondence.

Commissioner Cook – The direction came from the Mayor, not the Council as a whole.

Commissioner Spencer – Previous meeting in September of 2010 the City Attorney said it was appropriate that the Harbor Commission have control over the finances.

Commissioner Bachman – The recently adopted new ordinance clarifies the advisory nature of this commission.

Commissioner Cook – Harbor Commission serves at the discretion of the Council, not the mayor alone. Does all the other Councilmembers support this position?

Commissioner Spencer – For a commission to follow an ordinance as written without asking questions and getting information is almost impossible. Mr. Spencer does not feel the information requested has been received.

Councilmember Hornkohl – During a meeting held with the Mayor, Ross Spencer agreed that the Harbor Commission would accept the marina project if the Council accepted the project. Yet, the Harbor Commission continues to discuss it. Mr. Spencer denied the correctness of this statement, although minutes of the committee meeting were not maintained.

Multitude of General Comments – What's the bottom line? Why can't we get all of the documents? Transparency was questioned. Information has been provided to the Harbor Commission but not what they are looking for.

Commissioner Bachman – Any citizen has the right to FOIA. Information has been provided to the commission as requested.

Commissioner Cook – We have gotten information, but we haven't heard what we want to hear.

Councilmember Marshall – He is done with this discussion and supported the Mayor's correspondence, let's move on.

Councilmember Hornkohl – Tired of the blame game, also supports the Mayor's email. Greatly offended by the Harbor Commission's treatment of staff and Council and the comments made in minutes of previous meetings.

Commissioner Spencer – Following a general discussion on what information the Harbor Commission is looking for, Mr. Spencer made the following comment: What he would really like to see is a breakdown of payments made to Abonmarche. From the information previously provided only a total amount was given. He wants to see a complete breakdown of services provided and what the costs were.

Councilmember Hornkohl – The majority of Council would like to move on and not rehash the marina project further.

Commissioner Cook – What has Council learned from this project? Where did we screw up?

Councilmember Hornkohl – Asked if the City Manager could answer this question. The City Manager declined to answer "off the cuff."

Councilmember Marshall – Supports the letter of the Mayor, this issue is done.

APPROVAL OF MINUTES

MOTION by Zielinski, second by Spencer to approve the minutes for the August 15, 2012 meeting as presented. All in favor, motion carried.

STAFF REPORTS

Harbormaster. Dave Bachman reviewed the Marina Manager's Report as of September 1, 2012; the report includes the number of boat days, number of boats, seasonal dockage and boater surveys for 2012; fuel sales was added to the report this month. New policy this year to authorize reduced rates after Labor Day. Harbormaster and Marina Manager will be attending State required underground fuel storage tank training on October 31. Hired new person in August, pleased with their performance and will offer a position next year. Marina will close for the season on September 29. Preparing a 2013 grant application to the Waterways Commission for dock replacement that would require a 50/50 match. Discussed low water issues. Harbor Commission commented on the fantastic job by marina staff. Boater surveys highlight the accomplishments of staff members Frank and Laura.

City Manager. Information provided by email on 9/18/12 and reviewed at this time.

- Provided Boat Ramp Fund revenue/expenditure report for FY 2012-2013 (7/1/12-9/17/12). The report indicates \$20,677 in revenue has been generated in the first quarter. Compared to previous year identifies a positive increase of \$4,555 in revenue generated.
- Previously fishermen had been drilling holes into the fishing pier at Arthur Street to insert rod holders. Permanent rod holders have been installed.
- Over the winter season staff will be researching the auto-attendant for possible replacement. Has been pretty reliable this season but one shortcoming is that current model cannot dispense seasonal stickers.

Commissioner Spencer had several questions on expenses (Pioneer Group) attributed to the boat launch. He also questioned a payment to Abonmarche out of Marina funds. City Manager Deisch will research answers.

COMMITTEE REPORTS

Marketing & Promotion Committee. No report.

UNFINISHED BUSINESS

Marina Building – Final Cost Numbers. Commissioner Spencer questioned whether the Harbor Commission would ever get their answers and discussed submitting a FOIA for it. City Attorney has advised that the Harbor Commission is an arm of the City acting under the auspices of City Council. If the Harbor Commission submits a FOIA, it will not be filled. Any citizen can submit a FOIA but they will be treated in the same manner as all FOIA requests received by the City and that includes costs for complying with the request. City Manager Deisch reviewed the City's procedure to respond to FOIA requests.

Commissioner Cook - There is 100 years of combined construction experience on the Harbor Commission. Council does not have this experience and they should use the Harbor Commission on projects like the marina to get the answers. Repeated his earlier question: What have you learned after the crappy job on this one?

Councilman Marshall - Took exception to this statement noting that he alone had 40 years of

experience in the construction field and took great offense by Cook's statement. He continues to support the Mayor's letter.

Councilman Hornkohl - He was also offended by the statements and comments made by the Harbor Commission, especially the one that said the City was cooking the books. This did not happen and it shouldn't be suggested it was.

Boat Launch Use Information. Supplied under City Manager's Report.

Discussion – Financials for the Marina Enterprise Fund. Not discussed. Commissioner Spencer appreciated the revenue and expenditure reports being included in Council's agenda packet; very informational. Many practices have changed as the City gets further into the digital age. The Council agenda packets and those of many boards and commissions are now on the City's website. Commissioner Zielinski noted that he would like to see all board and commission meetings on the PEG channel too.

PUBLIC COMMENTS None.

COMMENTS BY HARBOR COMMISSIONERS

Dave Bachman – Commissioner Bachman asked Chairman Spencer to consider stepping down as chair of the Harbor Commission; stating as reason that his controversial relationship with staff has detracted from the work of the commission. Spencer responded that he will wait for the commission to hold elections in January.

Ross Spencer – Not sure how his email to Mitch ended up with a response from the Mayor. Appreciates request from Bachman but will wait for responses from other Harbor Commissioners. The previous Harbor Commissions were dysfunctional until he came on. Feels that City Council does not listen to them. If Council is to have a Harbor Commission give them a mission and listen to them.

Roger Zielinski – When a request for information is made to Bachman he overwhelms us with information. Not so when a request is made of Mitch.

Ty Cook – If we put the marina aside, we wouldn't have to meet as often. His issue has always been with Abonmarche and feels the City has been screwed over by them.

ADJOURNMENT

Meeting adjourned at the Call of the Chair at 2:15 p.m.

Respectfully submitted,



Cindy Lokovich, Recording Secretary